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UNITED STATES GENERAL ACCOUNTING OFFICE
WASHINGTON, D.C. 20548

OFFICE OF GENERAL COUNSEL

B-205053

December 28, 1981

To the President of the Senate and the
Speaker of the House of Representatives

The purpose of this letter is to report on the status of budget authority that was proposed for rescission, but for which Congress failed to pass a rescission bill as defined in section 1011 of the Impoundment Control Act.

In the President's third special message for fiscal year 1982, dated October 23, 1981, the President proposed two rescissions totalling \$88.2 million in budget authority. These funds had been appropriated to the Department of Defense for aircraft procurement (R82-1) and missile procurement (R82-2).

Section 1012(b) of the Impoundment Control Act requires that funds proposed for rescission be made available for obligation unless Congress completes action on a rescission bill within the 45-day period of continuous session of the Congress following the day such proposal is received by Congress. In our report on the President's third special message, we estimated that the 45-day period would end on December 16, 1981. Due to the shortened congressional recess in November, the 45 days ended on December 13, without the Congress having passed such a bill.

We have confirmed that on December 14, 1981, the subject budget authority was apportioned by the Office of Management and Budget.

Harry R Van Cleve
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